



State of Wisconsin  
2015 - 2016 LEGISLATURE

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**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 340**

February 18, 2016 - Offered by Representative BARNES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “**SECTION 1m.** 165.847 of the statutes is created to read:

4 **165.847 Strip searches; data and analysis. (1)** The department of justice  
5 shall analyze the records submitted to it under s. 968.253 to determine all of the  
6 following:

7 (a) Whether the number of strip searches performed on persons who are  
8 members of a racial minority is disproportionate to the number of strip searches  
9 performed on persons who are not members of a racial minority.

10 (b) Whether strip searches are performed on persons who are members of a  
11 racial minority for different reasons than strip searches performed on persons who  
12 are not members of a racial minority.

1 (c) Whether the reasons for conducting a strip search affect persons who are  
2 members of a racial minority disproportionately to persons who are not members of  
3 a racial minority.

4 (2) On or before July 1, 2017, and annually thereafter, the department shall  
5 submit a report of its analysis under sub. (1) to the legislature under s. 13.172 (2),  
6 to the governor, and to the director of state courts.

7 **SECTION 1p.** 968.253 of the statutes is created to read:

8 **968.253 Reports; strip searches.** (1) A law enforcement officer who  
9 performs or who directs another person to perform a strip search on a detainee, as  
10 defined in s. 968.255 (1) (a) 5., who is incarcerated, imprisoned, or otherwise detained  
11 in a jail or prison for fewer than 12 hours shall keep a record of the strip search. Each  
12 record shall contain all of the following:

13 (a) The detainee's residential zip code.

14 (b) The detainee's age.

15 (c) The detainee's gender.

16 (d) The detainee's race or ethnicity. The detainee's race or ethnicity shall be the  
17 race or ethnicity identified on the detainee's operator's license or identification card.  
18 If the detainee does not have an operator's license or an identification card that  
19 identifies his or her race or ethnicity, the law enforcement officer shall determine the  
20 detainee's race or ethnicity.

21 (e) Whether any contraband was discovered pursuant to the strip search. If  
22 contraband was discovered, a description of the contraband.

23 (f) The reason the detainee was arrested, including any criminal charges filed  
24 against the detainee.

